

A Despotism over the Confederate States Proposed in Congress.

A short time since, Mr. BARKSDALE, a Member of Congress from Mississippi, and a personal friend and adherent of President DAVIS, proposed a bill in the Confederate Congress, empowering the President to suspend the writ of *habeas corpus*. Our readers are aware that this writ is the great bulwark of personal liberty, inherited from our English ancestors. It authorizes any Judge, upon application made to him, to issue this writ to the Sheriff of the District or County, commanding him to bring into Court the body of the applicant who may be incarcerated for any crime; and then, if no legal or adequate cause is proved for his imprisonment, to liberate him from prison. To suspend this act, is to authorize the President to seize whom he pleases, without process of law, and without any reasons assigned, and to cast him into prison, and there to detain him as long as he pleases. It converts the President into a despot, and the people into his subjects and slaves of his will and pleasure. The Richmond *Enquirer*, which has long been the organ of the Government, comes out, we are sorry to see, in favor of the passage of this bill by Congress. It alleges, of course—the old plea of all tyrannies—that “the public safety” requires it; but the facts and arguments brought forward to show this are feeble, and entirely unsatisfactory. Never, since the first struggle for political liberty, have any people been more orderly amongst themselves, or more unanimous in supporting the great cause for which they are contending, than the people of the Confederate States. They have supported the Government with far greater energy than the Government has supported itself; and now they are told the outrageous paradox—that a despotism must be created over them, in order that they may obtain their liberty and independence. It was not necessary in '76, much less in this revolution. The *Enquirer* hints at certain Judges, who *sanction* and *protect* treason. If the allusion be to decisions concerning the Conscript Law, it is a question that better not be stirred at this time. The Judges alluded to may be those who determined that there was no authority for the declaration of Martial Law over Richmond and elsewhere; and who, by this very writ of *habeas corpus*, released from the custody of the Provost Marshal men arbitrarily seized and cast into prison.

Another method of establishing a despotism over us is proposed by suspending the writ of *habeas corpus*. There is precedent for this course. The very last act of the late Yankee Congress, before its adjournment, was to pass this identical measure. The Congress of the Confederate States is now called on to imitate the Abolitionists on the other side of the Potomac, and to establish over the people of the Confederate States a frame-work of despotism exactly like that these wretches have established over the people of the United States. The Confederate Congress has been a very subservient body, but we cannot believe that Mr. BARKSDALE's bill can pass. The grounds upon which this extraordinary and dictatorial power is proposed are, to our mind, trifling. It appears a gratuitous and almost wanton subversion of the dearest rights of freemen upon pretexts of flimsy character. Liberty of speech, in Congress and out of Congress, will be at an end. The President's decision in all such matters must be the law without remedy; whilst representation, with a prison before the Representative, as the grand instrument to guide his independence and fidelity to the people, will be a farce.

“Can such things be,
“And overcome us like a summer cloud,
“Without our special wonder?”

Whether the President will use and abuse this power over personal liberty, its conferment is an abdication of personal rights throughout the country, and the destruction of liberty, protected by law. The proposal of such a thing we deem alarming.

The New York *World*, denouncing the Act of the United States Congress, authorizing President LINCOLN to suspend the *Habeas Corpus* Act, uses the following language:

The bill, if it passes the House (which it will), and receives the signature of the President (which it will), is nothing less than an act for the establishment of a despotism in these once free and happy United States, and taking from the people the protection of the Constitution. It authorizes and justifies arbitrary arrests at the will of the Executive, in defiance of explicit provisions of the Constitution forbidding such arrests. It puts every man's liberty and property out of the protection of the fundamental law; it annihilates the power of the *State Governments* to protect their citizens against *illegal violence*; it tells the *President* and his *minions* that they may with impunity perpetrate all these acts of despotism by which the most odious tyrants in the worst ages have earned the execration of mankind.

And the party which passes this infamous, this abominable bill, defying the Constitution and annulling all State laws for protecting *personal liberty*, is the same party that two or three years ago was passing so called liberty bills in behalf of the Northern States to protect runaway negroes against the provision of the Constitution which requires their surrender. So dear and sacred did they profess to hold individual liberty that they would not allow it to be violated even in the person of an escaped slave, and they set up State legislation against Federal legislation for his protection. These sensitive philanthropists, and doughty champions of freedom then professed to be shocked at the denial of the *habeas corpus* to these fugitive blacks, and made that a pretext for resisting, by mob violence, the execution of a law of the United States. And now we see these same champions of personal liberty, these same sticklers for the *habeas corpus*, these same justifiers of State resistance to Federal power, passing an Act which *degrades the white citizen* below a condition which they then thought intolerable for *slaves as black as the ace of spades*. It is for the citizens of the loyal States to determine whether they will submit to this overthrow of the Constitution.